

Theodore (Ted) W. Pratt, Jr.  
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[REDACTED]

RE: Review Request for [REDACTED]

[REDACTED]

On December 11, 2018 my office received your request for a review of your Appeal decision, issued on November 28, 2018. Due to the Winter Break, you were sent notification, by e-mail, that the review process would be extended.

#### **Basis for Appeal or Review WAC 516-21-280**

(1) A student found in violation of the code may appeal the conduct officer's findings and/or the sanctions imposed. For incidents involving violence and/or sexual violence, including sexual assault, dating violence, domestic violence, and stalking or any other type of sexual misconduct or gender-based discrimination, a complainant may also request an appeal. An appeal may be requested for any reason including:

(a) The proceedings were not conducted in conformity with prescribed procedures and significantly impacted the outcome of the student conduct process;

(b) The sanctions imposed are substantially disproportionate to the violation(s) committed;

(c) The decision reached did not properly consider the information presented; and/or

(d) New information becomes available that was unavailable at the time of the original meeting, and could substantially impact the original decision. A summary of this new information and its potential impact must be included. The dean of students or designee may then refer the complaint to the conduct officer for further action as appropriate.

(2) The appeal must be submitted by the respondent or complainant (if applicable) in writing to the dean of students within ten days of the decision. The appeal must state, as clearly and concisely as possible, the reason for the appeal.

(3) Appeals of a finding that resulted, or may have resulted, in suspension or expulsion are considered by an appeals board. All other appeals are considered by the dean of students.

(4) No sanction will begin while an appeal or request for review is pending, except interim sanctions such as administrative no-contact orders, trespass, etc.

It appears that you are requesting a review based on the outcome of the decision in the criminal court, which operates on the premise of "a reasonable doubt." The decisions made through Western's Student Conduct Code is based on a "preponderance of evidence." It is my judgement that the conduct case, as well as the Appeals process, were conducted in conformity with Western's Student Conduct Code, and the findings based on a preponderance of evidence. This being said, I am **upholding the decision of the Appeals Board of Expulsion** from Western Washington University.

**WAC 516-21-230 Sanctions:**

(13) **Expulsion from the university.** A student may be permanently separated from the university. A student who has been expelled is not eligible for readmission.

This decision is final.

The student who filed the complaint is permitted to be informed of the outcome of this process and will receive notification of this decision.

Truly,

*Ted W. Pratt, Jr.*

Theodore W. Pratt, Jr.

Associate Vice President Enrollment and Student Services/ Dean of Students

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